

**U.S. Department of Justice**  
Civil Division

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May 7, 2025

**By ECF**

Honorable Michael E. Farbiarz  
United States District Judge  
U.S. Post Office & Courthouse  
Federal Square  
Newark, New Jersey 07101

Re: ***Khalil v. Joyce, et al.*, Civ. Act. No. 25-1963 (MEF) (MAH)**  
**Government's Request for an Extension of May 8 Deadlines**

Dear Judge Farbiarz:

Respondents ("the Government") respectfully request an extension of the May 8 deadlines. *See* ECF No. 231. The Government requests that the two letters be due on Wednesday, May 12 by 11:59pm. The Government makes this request for several reasons, all which establish good cause. Undersigned counsel conferred with Petitioner's counsel, who oppose this request. Specifically, Petitioner objects to Respondents' request for a substantial extension of time, given that he remains in detention and needs to have his petition resolved as expeditiously as possible.

*First*, the Government is in the process of obtaining this information as it prepares its supplemental brief. As the Court noted during the May 2 status conference, one of the queries was about the Government's prior practice in invoking the statute. The Government is working with the relevant stakeholders to obtain this information. Therefore, the Government already intended to provide some of this information to the Court in its supplemental filing, and submitting letters now would duplicate those efforts.

*Second*, the Government is unlikely to have the necessary information by tomorrow's deadlines. Given that the Court is requesting for instances that go back to 1975, the Government will likely have to locate any potential paper files and then review them. Additional time is required to conduct an adequate search for the relevant records.

*Third*, the Court's order seems to request information that could be deemed sensitive. The Government will need sufficient time to review the information and consult with the Departments of State and Homeland Security along with the Department of Justice's leadership. This interest along with the manual search process are why the Government would have difficulty obtaining and submitting information alongside its supplemental brief on Monday.

*Fourth*, this is the Government's first request for an extension in an instance in which the Court has provided less than 72 hours to respond. The Government has complied with the Court's orders

consistently. *See, e.g.*, ECF Nos. 140, 157, 163, 185,<sup>1</sup> 190, 205, 210, 218, 219, 226. Government counsel has also appeared for status conferences that were scheduled merely hours before being held. *See* ECF Nos. 197, 228. Given the other considerations mentioned, the Government's request here is a reasonable one and clearly not for the purposes of prejudicing Petitioner or delaying these proceedings. Additionally, the Government's counsel is working and advising on other cases handled by the office. The Court's short-fuse deadlines prejudice the Government and counsel's work on these other cases.

The Government continues to work diligently on this case and fully appreciates the Court's expeditious approach in resolving this matter. But additional time is necessary for the agencies and counsel to review documents and prepare the filing per the Court's request. For the aforementioned reasons, a short seven-day reprieve is warranted here.

Respectfully submitted,

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<sup>1</sup> The Government filed this letter after the Court's noon deadline because of a fire drill, and the Court accepted it as timely filed. *See* ECF No. 188.